

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE – NASHVILLE DIVISION**

IN RE: ENVIRONMENTAL WASTE SOLUTIONS, LLC 4521 TROUSDALE DRIVE NASHVILLE, TN 37204 DEBTOR.	CASE NO. 17-02675-MH3-7 CHAPTER 7 JUDGE Marian F. Harrison
--	--

**THE DEADLINE FOR FILING A TIMELY RESPONSE IS: 6/9/17
IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE: 6/20/17, 9:00 A.M.,
COURTROOM ONE, 701 BROADWAY, NASHVILLE, TN 37203**

NOTICE OF MOTION OF TRUSTEE TO SELL PROPERTY BY ONLINE AUCTION

John C. McLemore, Trustee, has asked the court for the following:

Permission of the Court to sell property for the benefit of the bankruptcy estate in the above-styled matter.

YOUR RIGHTS MAY BE AFFECTED. If you do not want the Court to grant the attached motion, or if you want the Court to consider your views on the motion, then on or before 6/9/17, you or your attorney must:

1. File with the Court your response or objection explaining your position. **PLEASE NOTE: THE BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF TENNESSEE REQUIRES ELECTRONIC FILING. ANY RESPONSE OR OBJECTION YOU WISH TO FILE MUST BE SUBMITTED ELECTRONICALLY. TO FILE ELECTRONICALLY, YOU OR YOUR ATTORNEY MUST GO TO THE COURT WEBSITE AND FOLLOW THE INSTRUCTIONS AT: <https://ecf.tnmb.uscourts.gov>.**

If you need assistance with Electronic Filing you may call the Bankruptcy Court at (615) 736-5584. You may also visit the Bankruptcy Court in person at: U.S. Bankruptcy Court, 701 Broadway, 1st Floor, Nashville, Tennessee (Monday – Friday, 8:00 a.m. – 4:00 p.m.).

2. **Your response must state that the deadline for filing responses is 6/9/17, the date of the scheduled hearing is 6/20/17 and the motion to which you are responding is *Motion of Trustee to Sell Property by Online Auction*.**
3. You must serve your response or objection by electronic service through the Electronic Filing system described above. You must also mail a copy of your response or objection to:

John C. McLemore, Trustee
2000 Richard Jones Rd., Ste. 250
Nashville, TN 37215

United States Trustee
701 Broadway, Customs House Suite 318
Nashville, TN 37203

If a timely response is filed before the deadline stated above, the hearing will be held at the time and place indicated above. ***THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.*** You may check whether a timely response has been filed by calling the Clerk's office at (615) 736-5584 or viewing the case on the Court's website at www.tnmb.uscourts.gov.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

This 19th day of May, 2017.

Respectfully submitted,

/s/ John C. McLemore, Trustee
John C. McLemore, Trustee
Tn. Bar No. 3430
2000 Richard Jones Rd., Ste. 250
Nashville, TN 37215
(615) 383-9495 (phone)
(615) 292-9848 (fax)
jmclmore@gmlylaw.com

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE - NASHVILLE DIVISION**

IN RE:	
ENVIRONMENTAL WASTE SOLUTIONS, LLC 4521 TROUSDALE DRIVE NASHVILLE, TN 37204 DEBTOR.	CASE NO. 17-02675-MH3-7 CHAPTER 7 JUDGE Marian F. Harrison

MOTION OF THE TRUSTEE TO SELL PROPERTY BY ONLINE AUCTION

The Trustee, John C. McLemore, moves the Court for the entry of an order authorizing him to proceed with the sale at online Bankruptcy Auction of the following property of the estate at the time and in the manner indicated:

Property Description: Miscellaneous business assets including but not limited to the following:

1984 Peterbilt Tractor VIN 1XP9DB9X8EP175701
1993 Aluma Tech Dump Trailer VIN 1C9EB3926PL449660
1994 Peterbilt Tractor VIN 1XP5DB9X0RN346862
1994 Peterbilt Tractor VIN 1XP5DB9X7RN340489
1994 Walker Tank Trailer VIN 1W9X43211RN001519
1994 Chevrolet 1500 PU Truck VIN 2GCEC19K2R1202041
1995 Dump Truck VIN 1FUWDCXA4SH789121
2006 Ford Explorer VIN 1FMEU72E86UA15807
Ford Water Truck

THIS PROPERTY WILL BE SOLD ONLINE

Date: Bidding will open Wednesday, June 14, 2017. Bidding will close beginning at 10:00 a.m. CDST, Tuesday, June 27, 2017. If during the final five minutes of the sale, the high bid is upset, the closing time will be extended by five minutes to allow the upset bidder or any other bidder to counter. This process will continue until bidding stops.

Location: Because this sale will not be at public outcry but instead on the Internet, the sale site will be every bidder's personal computer. The auction company conducting the sale will be Alexander Auctions & Realty Estate Sales, 239 University St., P.O. Box 129, Martin, TN 38237-0129.

Auction Sale Site: www.alexanderauctions.com

Viewing the Property: Photographs of the property and directions to the property will be available at www.alexanderauctions.com. Anyone wanting to view the property with an auctioneer may make an appointment by calling 1-800-748-8567.

Terms of Personal Property Sale: This is a personal property sale. A 10% buyer's premium will be charged on each lot sold. Vendors who are buying merchandise for resale must furnish their state issued Certificate of Resale before sales tax will be waived.

If the highest bidder for some reason does not close, the Trustee reserves the right to offer the property to the runner-up bidder at the runner-up bidder's highest bid.

Unless an objection and application for hearing is filed with the United States Bankruptcy Clerk, First Floor Customs House, 701 Broadway, Nashville, Tennessee 37203; and a copy served on the United States Trustee's Office, 318 Customs House, 701 Broadway, Nashville, Tennessee 37203; and upon the Trustee in

accordance with the Notice of Motion of the Trustee to Sell Property, the Trustee will proceed with the sale of the herein described property.

PROPERTY IS TO BE SOLD AS IS, WHERE IS, AND FREE AND CLEAR OF ANY LIENS. ANY VALID AND PROPER LIEN WILL ATTACH TO THE PROCEEDS OF THE SALE. TRUSTEE WILL CONVEY BY VALID BANKRUPTCY TRUSTEE'S DEED, OR APPROPRIATE INSTRUMENT, THE RIGHT, TITLE AND INTEREST THAT TRUSTEE HAS THE RIGHT TO CONVEY. TRUSTEE WILL PAY EXEMPTIONS AND LIENHOLDERS AS FOLLOWS:

1st Lienholder: None

Debtor(s) Statutory Exemption: None

This sale does not include Personal Identifiable Information (PII).

It is anticipated that there is sufficient equity in the property to pay all 506(c) expenses and that this sale will result in a distribution being made to unsecured creditors.

This sale is an "arm's length" transaction. The Trustee, his employees and Bankruptcy court officials are prohibited from bidding.

AUCTIONEER'S COMMISSION

Simultaneous with the publication of this notice, the Trustee has made application to the Court for the appointment of Alexander Auctions & Real Estate Sales, as auctioneer for this sale. The auctioneer will be paid in accordance with Local Rule 6005-1 which provides as follows:

(1) Ten percent (10%) of gross proceeds for real property and vehicles—including cars, trucks, trailers, all-terrain vehicles, boats, aircraft, farm machinery and implements, and earth moving equipment; or

(2) Twenty-five percent (25%) of the first \$40,000 of gross proceeds for other personal property and fifteen percent (15%) thereafter.

No expenses will be reimbursed. Upon receipt of the auctioneer's report of sale, Alexander Auctions & Real Estate Sales' commission will be paid.

If the sale includes personal property, pursuant to Local Rule 6005-1(e), the auctioneer may charge a buyers' premium to offset credit card processing fees.

Credit Card Notice: Alexander Auctions & Real Estate Sales will accept payment by credit card in this auction. In addition to the commission provided for in Local Bankruptcy Rule 6005-1(b)(2), Alexander Auctions & Real Estate Sales will provide in its Report of Sale a total of the credit card fees charged Alexander Auctions & Real Estate Sales by the credit card companies and supporting documentation. Alexander Auctions & Real Estate Sales will seek reimbursement for the credit card fees from the proceeds of the sale or 2 ½% of the gross sale amount including buyer's premium whichever is less. Reimbursement of this expense is provided for at Local Bankruptcy Rule 6005-1 (e).

WHEREFORE, the Trustee prays that the Court enter an Order authorizing him to proceed with the sale of this property pursuant to the provisions of 11 U.S.C. § 363 free and clear of all liens with the liens that may exist attaching to the proceeds of the sale.

The Trustee further prays that the 14 day stay of the sale of this property following the entry of this order as provided for in FRBP 6004(h) be waived.

Dated this 19th day of May, 2017.

Respectfully submitted,

/s/ John C. McLemore, Trustee

John C. McLemore, Trustee

Tn. Bar No. 3430

2000 Richard Jones Rd., Ste. 250

Nashville, TN 37215

(615) 383-9495 (phone)

(615) 292-9848 (fax)

jmclemore@gmylaw.com

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE – NASHVILLE DIVISION**

IN RE: ENVIRONMENTAL WASTE SOLUTIONS, LLC 4521 TROUSDALE DRIVE NASHVILLE, TN 37204 DEBTOR.	CASE NO. 17-02675-MH3-7 CHAPTER 7 JUDGE Marian F. Harrison
--	--

ORDER TO SELL PROPERTY BY ONLINE AUCTION

Upon consideration of the motion of John C. McLemore, Trustee, for authority sell the following property by online auction:

Miscellaneous business assets including but not limited to the following:

1984 Peterbilt Tractor VIN 1XP9DB9X8EP175701
1993 Aluma Tech Dump Trailer VIN 1C9EB3926PL449660
1994 Peterbilt Tractor VIN 1XP5DB9X0RN346862
1994 Peterbilt Tractor VIN 1XP5DB9X7RN340489
1994 Walker Tank Trailer VIN 1W9X43211RN001519
1994 Chevrolet 1500 PU Truck VIN 2GCEC19K2R1202041
1995 Dump Truck VIN 1FUWDCXA4SH789121
2006 Ford Explorer VIN 1FMEU72E86UA15807
Ford Water Truck

The Motion and Proposed Order were served on the Debtor(s), Debtor's counsel, all creditors and all parties requesting notice. Each was given twenty-one (21) days to object. No objections have been filed with the Court;

And it appearing to the Court that the sale of property will be beneficial to the bankruptcy estate;

It is hereby

ORDERED that John C. McLemore, Trustee, is authorized to sell this property by online auction pursuant to the provisions of 11 U.S.C. § 363 free and clear of all liens with the liens that may exist attaching to the proceeds of the sale.

It is further **ORDERED** that the 14 day stay of the sale of this property following the entry of this order set out in FRBP 6004(h) is hereby **WAIVED**.

It is further **ORDERED** the Trustee will file a report of sale as required by FRBP 6004(f).

This Order was signed and entered electronically as indicated at the top of this page.

APPROVED FOR ENTRY:

/s/ John C. McLemore, Trustee
John C. McLemore, Trustee
Tn. Bar No. 3430
2000 Richard Jones Rd., Ste. 250
Nashville, TN 37215
(615) 383-9495 (phone)
(615) 292-9848 (fax)
jmclemore@gmylaw.com

Proposed

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE – NASHVILLE DIVISION**

IN RE: ENVIRONMENTAL WASTE SOLUTIONS, LLC 4521 TROUSDALE DRIVE NASHVILLE, TN 37204 DEBTOR.	CASE NO. 17-02675-MH3-7 CHAPTER 7 JUDGE Marian F. Harrison
--	--

CERTIFICATE OF SERVICE

I hereby certify that on the date noted below, a true and correct copy of the foregoing listed below was mailed either electronically or by U.S. mail, postage prepaid, to the U.S. Trustee, 701 Broadway, Customs House Suite 318, Nashville, TN 37203; Environmental Waste Solutions, LLC, 4521 Trousdale Drive, Nashville, TN 37204; Debtor's attorney, Robert J. Mendes, 227 15th Avenue North, Nashville, TN 37203; all creditors, and all parties requesting notice, as reflected on the mailing matrix attached to the original of this pleading on file with the Clerk of this Court.

This 19th day of May, 2017.

Respectfully submitted,

/s/ John C. McLemore, Trustee
John C. McLemore, Trustee
Tn. Bar No. 3430
2000 Richard Jones Rd., Ste. 250
Nashville, TN 37215
(615) 383-9495 (phone)
(615) 292-9848 (fax)
jmclmore@gmylaw.com

Attachments:

- (1) Notice of Motion of Trustee to Sell Property by Online Auction
- (2) Motion of the Trustee to Sell Property by Online Auction
- (3) Proposed Order to Sell Property by Online Auction

Alice Jean Fry
729 Overhead Bridge Rd.
Camden TN 38320-1878

Allied Hose & Belting Co., Inc.
PO Box 128
Waverly TN 37185-0128

American Express
PO Box 650448
Dallas TX 75265-0448

Ameripride Linen & Apparel Services, Inc
PO Box 1280
Bemidji MN 56619-1280

Andrew B. Frazier, Esq.
116 East Main Street
P.O. Box 208
Camden TN 38320-0208

Benton County Electric
P.O. Box 429
Camden TN 38320-0429

Benton County Trustee
1 Court Sq., Room 103
Camden TN 38320-2070

Benton County Wholesale Plumbing & Elec.
2800 Highway 70 East
Camden TN 38320-6706

Benton Farmers Cooperative
180 Old Nashville Hwy, PO Box 3003
La Vergne TN 37086-1983

Best One Tire of Jackson
2690 Bells Hwy
Jackson TN 38305-8849

Bridgefield Casualty Insurance Co. - FL
P.O. Box 32034
Lakeland FL 33802-2034

Busby Tire & Alignment, LLC
PO Box 302, Hwy 70 East
Camden TN 38320-0302

Camden Water and Wastewater Dept.
110 HWY. 641 S
PO Box 779
Camden TN 38320-0779

Carl T. Haley
5205 Stillhouse Hollow Rd
Franklin TN 37064-9484

City of Camden
110 Highway 641 S
Camden TN 38320-1635

City of Dyersburg
PO Box 1358
Attn: Stacie Lee
Dyersburg TN 38025-1358

Civil & Environmental Consultants, Inc.
PO Box 644246
Pittsburgh PA 15264-4246

Clean Earth of Calvert City, Inc.
PO Box 95000-3755
Philadelphia PA 19195-0001

Cooper Aerial Surveys Company Inc.
11402 N Cave Creek Road
Phoenix AZ 85020-1410

Custom Tire & Recycling c/o Jerry Mays
Mullins Clemmons & Mayes, PLLC
320 Seven Springs Way, # 120
Brentwood TN 37027-4537

David M. Anthony, Esq.
Bone McAllester Norton PLLC
511 Union Street, Suite 1600
Nashville TN 37219-1780

E & W Electric Solutions, LLC
94 Ashli Lane
Paris TN 38242-8038

Elemental Analysis, Inc.
2101 Capstone Drive Suite 110
Lexington KY 40511-8997

Elizabeth Murphy, Esq.
1102 17th Ave South, Suite 401
Nashville TN 37212-2208

Environmental Waste Solutions, LLC
4521 Trousdale Drive
Nashville, TN 37204-4513

Ernest Gene Lowe
108 Old Mill Creek Rd.
Camden TN 38320

EWS Trust
4521 Trousdale Dr.
Nashville TN 37204-4513

Fast Pace Medical Clinic PLLC
PO Box 1258
Waynesboro TN 38485-1258

Five Star Compliance of USA, LLC
1408 Hanson Drive
Franklin TN 37067-8666

Five Star Venture Funding, L.P.
4521 Trousdale Drive
Nashville TN 37204-4513

Fuller Heating & Cooling
PO Box 54
Camden TN 38320-0054

Gerald Boyle
1283 Murfreesboro Rd.
Nashville TN 37217-2432

Gerald F. Boyle
8108 Victory Trail
Brentwood TN 37027-7300

GunnCo Pump & Control, Inc.
PO Box 2789
Cumming GA 30028-6510

Hach Company
2207 Collections Center Drive
Chicago IL 60693-0022

Hinkle Trucking Company LLC
Dept 100, PO Box 830604
Birmingham AL 35283-0604

Ideal Chemical & Supply Co.
PO BOX 18698
Memphis TN 38181-0698

Inman and Son Trucking
PO Box 7
Holladay TN 38341-0007

IPFS 282994
P.O. Box 905849
Charlotte NC 28290-5849

IWT/Cargo-Guard
PO Box 454
Waretown NJ 08758-0454

J & T Transportation, LLC
1122 Old Hwy 69 S
Camden TN 38320-6622

J.A. King
PO Box 160
Whitsett NC 27377-0160

Jacobs Construction LLC
6655 Jacobs Road
Murfreesboro TN 37127-8147

James M. Sohr
4521 Trousdale Dr.
Nashville TN 37204-4513

Jason Holleman, Esq.
West Nashville Law Group
4800 Charlotte Avenue
Nashville TN 37209-3412

Jimmy L Kelly Inc.
9070 Hwy 641 So.
Holladay TN 38341-2610

Joe and Virginia Whitworth
145 Sylvan Dr.
Camden TN 38320-2122

Joe Sanders
TDEC, Tennessee Tower, 2nd Floor
312 Rosa L. Parks Avenue
Nashville TN 37243-1102

Johnny and Cindy Wheatley
146 Timbercrest Cir
Camden TN 38320-2108

Katherine Barnes
TDEC, Tennessee Tower, 2nd Floor
312 Rosa L. Parks Avenue
Nashville TN 37243-1102

Kimmel & Associates, Inc.
25 Page Avenue
Asheville NC 28801-2707

Lakeshore Equipment Sales and Leasing
2250 E. 15th Ave.
Gary IN 46402-3007

Lanco Acquisition, LLC
665 10 Mile Road NW
Sparta MI 49345-9459

Lane's Mobile John, Inc.
3133 Vanzora Road
Benton KY 42025-5768

Lew and Mary Jo Dougherty
147 Timbercrest Cir
Camden TN 38320-2107

Lowrie Electric Co Inc.
7520 Bartlett Corp CV E
Memphis TN 38133-3963

M & M Gravel
1125 Sulphur Creek Road
Big Sandy TN 38221-4345

Mark and Melissa Totty
144 Sylvan Dr.
Camden TN 38320-2106

Mark Davis Trucking, Inc.
PO Box 31011
Clarksville TN 37040-0017

Medical Center Laboratory
PO Box 3099
Jackson TN 38303-3099

Michael and Sheila Melton
107 Old Mill Creek
Camden TN 38320-1756

MTS Pipeline Maintenance Inc.
PO Box 874
Parsons TN 38363-0874

Northern Safety & Industrial Inc.
PO Box 4250
Utica NY 13504-4250

O'Reilly Auto Parts
PO Box 9464
Springfield MO 65801-9464

Onsite Environmental Inc.
PO Box 189
Whites Creek TN 37189-0189

Palmer Tool, LLC
PO Box 1017
Camden TN 38320-1017

Parman Energy Corporation
PO Box 197557
Nashville TN 37219-7557

Pilot Travel Centers, LLC
P.O. Box 11407
Birmingham AL 35246-1314

PowerPlan
P.O. Box 4450
Carol Stream IL 60197-4450

Powers Transit, LLC
PO Box 51468
Bowling Green KY 42102-5768

Product Recovery Management, Inc.
200 20th Street
Butner NC 27509-2443

Proforma
PO Box 640814
Cincinnati OH 45264-0814

Progressive Environmental Services, Inc.
PO Box 538498
Atlanta GA 30353-8498

ROBERT J MENDES +
Waypoint Law, PLLC
227 15th Avenue North
NASHVILLE, TN 37203-3611

ROBIN BICKET WHITE +
Waypoint Law PLLC
227 15th Avenue North
NASHVILLE, TN 37203-3611

Ronald Sohr
4521 Trousdale Dr.
Nashville TN 37204-4513

Roy and Judy Sharpe
c/o Elizabeth L. Murphy, Esq.
1102 17th Avenue South, Suite 401
Nashville TN 37212-2208

Scott Equipment Company, LLC
4515 Pidgeon Roost Road
Memphis TN 38118-6924

Scott Sohr
834 Tyne Valley Ct.
Nashville TN 37220-1533

Scott Sohr
4521 Trousdale Dr.
Nashville TN 37204-4513

Sims Funk PLC
3310 West End Ave
#410
Nashville TN 37203-6803

St. John Security Systems LLC
1624 Hwy 77
Paris TN 38242-6746

Steve and Suzanne Whitworth
140 Wylly Place
Camden TN 38320-2109

STS Investments
4521 Trousdale Drive
Nashville TN 37204-4513

Sunbelt Rentals, Inc.
PO Box 409211
Atlanta GA 30384-9211

SWS Environmental
50 Visco
Nashville TN 37210-2148

TEC Environmental Laboratories, Inc.
Darlina Olhausen
PO Box 2052
Jackson TN 38302-2052

Tennessee / American Consortium
PO Box 377
Franklin TN 37065-0377

Tennessee Dept. Env. & Conservation
WRS TN Tower, 10th Floor
312 Rosa L. Parks Ave
Nashville TN 37243-1102

Terry Enterprises
2085 Hwy 70 W
Camden TN 38320-6597

Thompson Machinery Inc.
PO Box 535496
Atlanta GA 30353-6220

Town of Bruceton
209 Cheatham Street
Bruceton TN 38317-1814

TruckPro
29787 Network Place
Chicago IL 60673-1787

Truxton Trust Company
4525 Harding Road, Suite 300
Nashville TN 37205-2190

Truxton Trust Company
c/o Bone McAllester Norton PLLC
c/o David M. Anthony, Esq.
511 Union St., Suite 1600
Nashville, TN 37219-1780

Tucker Herndon, Esq.
Burr & Forman
511 Union St., #2300
Nashville TN 37219-1756

Waller Lansden Dortch & Davis, LLP
511 Union St., Ste. 2700
Nashville TN 37219-1791

William B. Jakes, III
Howell & Fisher, PLLC
Court Square Bldg, 300 James Robertson P
Nashville TN 37201-1107